

ESAB AB  
Serial Number: 09/582,003  
Attorney Docket Number: 11412  
Page 1 of 2

FILED IN PATENT OFFICE

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** ESAB AB )  
**Serial Number:** 09/582,003 ) Attention: Cynthia M. Kratz  
**Filed:** June 19, 2000 ) PCT Legal Office  
**For:** WELDING APPARATUS )  
**Docket Number:** 11412 )

**PETITION UNDER 37 C.F.R. 1.182 TO CORRECT THE SERIAL NUMBER**  
**ON RESPONSE AND FOR REFUND OF FEE**

Hon. Commissioner of  
Patents and Trademarks  
Box DAC  
Washington, D.C. 20231

November 27, 2002

Sir:

Applicant petitions under 37 C.F.R. 1.182 to correct the Serial Number on the Response dated September 1, 2000 and for a refund of the fee related to the Petition to Revive.

The above identified application became abandoned for Applicant's purported failure to file a timely and proper response to a Notice or Action by the United States Patent and Trademark Office.

On July 12, 2000, the Patent and Trademark Office sent Applicant a Notification of Missing Requirements. On September 1, 2000, Applicant timely filed a Response to Notification of Missing Requirements and Assignment together with a check for \$280. The Serial Number on the response was listed as 09/582,005. As a result, the response was misfiled. The response was ultimately located in the file related to Application 09/582,005. On January 11, 2002, the Patent and Trademark Office sent a Notification of Abandonment based on Applicant's purported failure to respond to the Notification of Missing Requirements. On February 7, 2002, Applicant submitted a Petition to Withdraw Abandonment - which was denied. On April 3, 2002, Applicant filed a Petition for Revival enclosing a copy of the earlier filed response and cancelled check.

The response filed September 1, 2000 was filed with an incorrect Serial Number. The correct Serial Number is 09/582,003. Accordingly, Applicant respectfully requests that the

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Serial Number on the Response to Notification of Missing Requirements and Assignment (a copy of which is enclosed herewith) be corrected to Serial Number 09/582,003.

In addition, because the Response to Notification of Missing Requirements was timely filed the application should not have become abandoned. Accordingly, Applicant requests a credit of the fee submitted with the Petition for Revival dated April 3, 2002 of \$1280 to Deposit Account Number 04-2219.

Enclosed please find a substitute Declaration of Inventorship and a Power of Attorney.

Please note, the Docket Number for the case changed from C36465 to 11412.

A check for \$130 to cover the Petition fee under 1.17(h) is enclosed.

The Commissioner is authorized to charge or credit Applicant's Deposit Account Number 04-2219 with any over or underpayment.

Respectfully submitted,

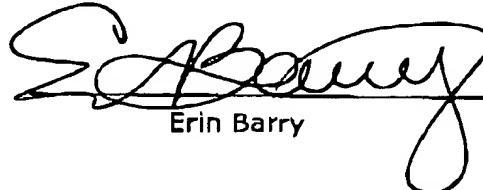
Catherine L. Gemrich

Catherine L. Gemrich  
Attorney Registration No. 50473  
Attorney for Applicant

ORUM & ROTH  
53 WEST JACKSON BOULEVARD  
CHICAGO, ILLINOIS 60604-3606  
TELEPHONE: (312) 922-6262

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being sent via facsimile to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on November 27, 2002.

  
Erin Barry

107.11412

**POWER OF ATTORNEY****UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT/DESIGN****I(We)****Applicant(s):****ESAB AB  
P.O. Box 8504  
SE-402 77 Göteborg, Sweden**

Do hereby authorize the following firm, and its attorneys listed below, to represent me (us) as applicant(s) or proprietors(s) to act for me (us) in proceedings before the United States Patent and Trademark Office concerning the following United States Patent Application(s) or Patent(s) and to receive payments on my (our) behalf:

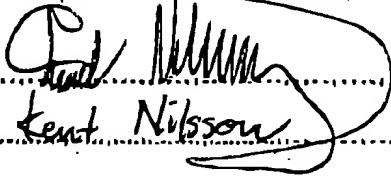
**Applicant(s): ESAB AB  
For (title): WELDING APPARATUS  
Application Number: 09/582,003  
Date Filed: June 19, 2000**

This authorization shall also apply to any proceedings under the Patent Cooperation Treaty.

Subauthorization may be given.

I (we) hereby revoke all previous authorization(s) in respect to the above application(s) or patent(s).

Address all telephone calls and correspondence to the below referenced firm.

Signature:   
Name: Kent Nilsson

Date: November 8, 2002

Title: Patent Manager

Signature: 

Name: 

Title: 

Date: 

**DRUM & ROTH  
53 WEST JACKSON BOULEVARD  
CHICAGO, ILLINOIS 60604-3606  
USA**

**PHONE: 312.922.6262  
FAX: 312.922.7747  
EMAIL: EMAIL@DRUMROTH.COM**

**FORUM & ROTH**  
**INTELLECTUAL PROPERTY LAW**  
**COMMERCIAL LAW**  
**LITIGATION**

95 WEST JACKSON BOULEVARD  
 CHICAGO, ILLINOIS 60604-3606 U.S.A.

**DECLARATION FOR UTILITY OR  
 DESIGN  
 PATENT APPLICATION  
 (37 CFR 1.63)**

Declaration  
 Submitted with  
 Initial Filing

OR

Declaration  
 Submitted after  
 Initial Filing  
 (surcharge (37  
 CFR 1.16 (e))  
 required)

Attorney Docket Number: 11412

First Named Inventor: LARSSON, Rolf

Application Number: 09/582,003

Filing Date: June 19, 2000

Group Art Unit:

Examiner Name:

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**WELDING APPARATUS**

the specification of which

(Title of the Invention)

is attached hereto

or

was filed on 19/06/2000 as United States Application Number or PCT International  
 (DD/MM/YYYY)

Application Number 09/582,003 and was amended on 19/06/2000  
 (DD/MM/YYYY)  
 (if applicable).

I hereby state that I reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(e)-(d) or (f), or 365 (B) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (DD/MM/YYYY)	Priority Not Claimed	Certified Copy Attached? YES NO
97850179.9	Sweden	19/12/1997		X
PCT/SE98/02302	PCT	15/12/1998		X

Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

**DECLARATION---Utility or Design Patent Application**

Direct all  
correspondence to:

Customer Number  
or Bar Code Label

OR

Correspondence  
address below

Name: Drum & Roth

Address: 53 West Jackson Boulevard

City: Chicago

State: IL

Zip: 60604

Country: U.S.A.

Telephone: 312.922.5262

Fax: 312.922.7747

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true) and further that those statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**NAME OF SOLE OR FIRST INVENTOR:**  A petition has been filed for this undersigned Inventor

Given Name  
(first and middle [if any]): Rolf  
Inventor's  
Signature:

Family Name  
or Surname: LARSSON

Date: 8/11/2002

Residence: City: LAXA

State:

Country: Sweden

Citizenship: Swedish

Mailing Address: Bäversågen 14, SE-695 31 LAXA, Sweden

City: ..... State: ..... Zip: ..... Country: .....

**NAME OF SECOND INVENTOR:**  A petition has been filed for this undersigned Inventor

Given Name  
(first and middle [if any]):

Family Name  
or Surname: .....

Inventor's  
Signature: ..... Date: .....

Residence: City: ..... State: ..... Country: ..... Citizenship: .....

Mailing Address: .....

City: ..... State: ..... Zip: ..... Country: .....

Additional inventors are being named on the \_\_\_\_\_ supplemental Additional Inventor(s) sheet(s) attached hereto.

MAR. 4. 2003 3:13PM

ORUM & ROTH

NO. 5292 P. 7

Orum & Roth  
53 West Jackson Boulevard, 16th  
Chicago, IL 60604-3704  
(312) 922-6262

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11/26/2002

PAY TO THE Commissioner of Patents and Trademarks  
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MEMO

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Orum & Roth

Commissioner of Patents and Trademarks

Government Fees

11/26/2002

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130.00

CB Checking

107:11-12

130.00

Serial No..	<u>09 582 003</u>	Date Mailed	<u>11-26-02</u>
Invoker.	<u>ESAB AB</u>	All-new (check)	<u>11412</u>
Title.	<u>Welding Apparatus</u>		
This card accompanies the following:			
Specification	( pages )		
Number of Claims	<input checked="" type="checkbox"/> 7		
Drawings	<input type="checkbox"/> ( sheets )		
Declaration of Inventorship/Power of Attorney	<input checked="" type="checkbox"/> Corrected versus		
Information Disclosure Statement	<input checked="" type="checkbox"/> stamp here and mail to address on reverse side in acknowledgement receipt of the attachment(s) indicated to the left.		
Preliminary Amendment	<input type="checkbox"/>		
Assignment	<input type="checkbox"/>		
Opposition Document	<input type="checkbox"/>		
Response to Official Action	<input type="checkbox"/>		
U.S. Maintenance Fee	<input type="checkbox"/>		
U.S. Issue fee	<input type="checkbox"/>		
Government Fees	<input type="checkbox"/>		
Other: <i>Petition 1182</i>	<input checked="" type="checkbox"/> \$ 130		
<p style="text-align: center;">PATENT OFFICE Please stamp U.S. Serial No. or PCT Application No. below:</p> <hr/>			

*Orum & Roth*

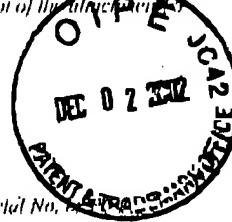
Serial No.: 09 582 003 Date Mailed: 11-26-02  
 Inventor: ESAB AB Attorney Docket: 11412  
 Inv.: Welding Apparatus

This Card accompanies the following:

Specification	(pages)	<input checked="" type="checkbox"/>
Number of Claims	(pages)	<input type="checkbox"/>
Drawings	(sheets)	<input type="checkbox"/>
Declaration of Inventorship/Power of Attorney	Corrected Version	<input checked="" type="checkbox"/>
Information Disclosure Statement		
Preliminary Amendment		<input type="checkbox"/>
Assignment		<input type="checkbox"/>
Convention Document		<input type="checkbox"/>
Response to Official Action		<input type="checkbox"/>
U.S. Maintenance Fee	\$	<input type="checkbox"/>
U.S. Issue Fee	\$	<input type="checkbox"/>
Government Fees	\$ 130	<input checked="" type="checkbox"/>
Other: Petition 1.182		<input checked="" type="checkbox"/>

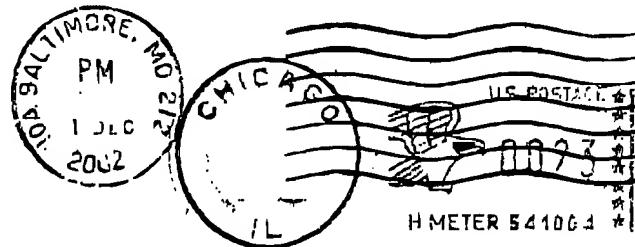
RECEIPT STAMP

PATENT OFFICE: Please apply a receipt stamp hereto and mail to address on reverse side to acknowledge receipt of the above paper indicated to the left.



PATENT OFFICE:  
Please stamp U.S. Serial No. 09/582,003  
Application No. below:

J. ORUM & ROTH



RECEIVED  
DEC 9 2002  
ORUM & ROTH

ORUM & ROTH  
53 West Jackson Boulevard  
Suite 1616  
Chicago, Illinois 60604-3606